


Councilmember Carol Schwartz

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the District of Columbia Traffic Adjudication Act of 1978, and Title 18 of the District of Columbia Municipal Regulations to provide for a refund of the fee for appealing a notice of traffic infraction to a person who prevails in an appeal.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Traffic Adjudication Appeal Fee Temporary Amendment Act of 2003".

Sec. 2. Section 402 of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2304.02), is amended as follows:

(a) Designate the existing text as subsection (a).

(b) Add a new subsection (b) to read as follows:

"(b) An aggrieved person who is successful in the appeal of a determination of the existence of liability or the sanction imposed under this subtitle, or both, shall be entitled to a refund of any fee imposed for bringing the appeal."

Sec. 3. Section 3015.1 of Title 18 of the District of Columbia Municipal Regulations is amended as follows:

(a) Strike the phrase “which shall not be refundable”.

(b) Add a new sentence to the end to read as follows: “This fee shall be refunded to any appellant who is successful in an appeal.”.

Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.